

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
TYLER DIVISION

AL JAMES WILLIAMS #1042336,

*Plaintiff,*

v.

SHANE T. BROCKWELL,  
ET AL..

*Defendants.*

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Civil Action No. 6:13CV90

**ORDER OF DISMISSAL**

The above-entitled and numbered civil action was heretofore referred to United States Magistrate Judge K. Nicole Mitchell. The Supplemental Report and Recommendation (docket entry #57) of the Magistrate Judge, which contains proposed findings of fact and recommendations for the disposition of such action, concludes that the Office of the Attorney General of Texas' Special and Limited Appearance to Present Motion to Dismiss Under Federal Rule of Civil Procedure 12(b)(5) (docket entry #47) should be granted, Plaintiff's claims against Defendant Brockwell be dismissed without prejudice for failure of service pursuant to Fed. R. Civ. P. 4(m), and that the case in its entirety should be dismissed without prejudice as a result. No objections thereto having been timely filed, the Court is of the opinion that the findings and conclusions of the Magistrate Judge are correct, and adopts same as the findings and conclusions of the Court. Accordingly,

**IT IS HEREBY ORDERED** that the Office of the Attorney General of Texas' Special and Limited Appearance to Present Motion to Dismiss Under Federal Rule of Civil Procedure 12(b)(5) (docket entry #47) is **GRANTED**. It is further

**ORDERED** that Plaintiff's claims against Defendant Brockwell are **DISMISSED WITHOUT PREJUDICE**. It is finally

**ORDERED** that the above-entitled and numbered cause of action is **DISMISSED WITHOUT PREJUDICE**.

**It is SO ORDERED.**

**SIGNED this 1st day of May, 2014.**

  
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MICHAEL H. SCHNEIDER  
UNITED STATES DISTRICT JUDGE